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7 Counsel for Plaintiff

8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

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11 ELIZABETH HUNTERTON, an individual,
12 Plaintiffs,
13 vs.
14 LEUKEMIA & LYMPHOMA SOCIETY,
INC., a New York not for profit corporation,
15 Defendant.

CASE NO.: 2:21-cv-00929-JCM-NJK

**STIPULATION AND ORDER TO
ALLOW PLAINTIFF TO AMEND
COMPLAINT AND TO WITHDRAW
DEFENDANT'S PARTIAL MOTION TO
DISMISS PLAINTIFF'S COMPLAINT
WITHOUT PREJUDICE (ECF #5)**

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17 Plaintiff Elizabeth Hunterton ("Plaintiff") by and through her counsel of record, the Garg
18 Golden Law Firm, and Defendant Leukemia & Lymphoma Society, Inc., ("Defendant"), by and
19 through their counsel of record, Jackson Lewis P.C., hereby stipulate as follows:

20 1. Plaintiff shall file an amended complaint within 14 calendar days of this order with
21 additional detail as argued in Defendant's Motion to Dismiss (ECF No. 5), including withdrawing
22 Plaintiff's negligent infliction of emotional distress claim and wrongful termination claim, without
23 prejudice. Plaintiff reserves the right to re-file these claims should additional information
24 concerning their validity be discovered. Plaintiff will also amend her claims under the Family
25 Medical Leave Act to only assert a claim for interference under 29 USC 2615(a)(1).

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1 2. Upon the Court's approval of this stipulation, Defendant's Motion to Dismiss (ECF
2 No. 5) shall be deemed withdrawn, without prejudice.
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4 Dated this 1st day of June, 2021.

5 GARG GOLDEN LAW FIRM

6 By: /s/ Amanda Brookhyser
7 AMANDA J. BROOKHYSER, ESQ.
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Counsel for Plaintiff

Dated this 1st day of June, 2021.

JACKSON LEWIS, P.C.

By /s/ Deverie Christensen
DEVERIE J. CHRISTENSEN, ESQ.
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Counsel for Defendant

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11 IT IS SO ORDERED.

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United States Magistrate Judge

DATED: June 2, 2021